

REMARKS

Claims 1-13, 21-22, and 26-27 were previously pending in this application.

Claims 1-13, 21-22, and 26-27 stand rejected under 35 U.S.C. 103(a).

Claims 1 and 26 are amended.

Claim 10 is cancelled.

No new matter is added.

Claims 1-9, 11-13, 21-22, and 26-27 remain in the case for reconsideration.

Applicants request reconsideration and allowance of the claims in light of the following remarks.

Claim Rejections – 35 USC § 103

Claims 1,2, 4-10, 12-13, 21-22 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of JP Pat. No. 11077507 issued to Urano (“Urano”).

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art and Urano in view of U.S. Patent. No. 5,231,053 issued to Bost et al. (“Bost”).

The rejections are respectfully traversed.

Claims 1 and 26 are now amended to recite, “the interconnection layer, the capping layer, and the etching stopper are formed by sequentially depositing material layers, and patterning the material layers by the same etching process,” drawn from claim 10, which is now cancelled in favor of amended claims 1 and 26.

The Examiner alleges, with respect to cancelled claim 10, that admitted prior art teaches or suggests that the admitted prior art teaches (fig. 1) substantially the entire claimed method of claim 1 above including the interconnection layer, the capping layer, and the etching stopper are formed by sequentially depositing material layers for forming the interconnection layer, the capping layer, and the etching stopper, and patterning the material layers by the same etching process.

However, the admitted prior art does not teach or suggest forming an etch stop layer over a capping layer 16, as in the claimed invention. See FIG. 1 of the present application. Furthermore, nowhere does Urano teach or suggest patterning the nitride film 8 together with the antireflection film 2 and a first Al wiring 1 by the same etching process, as in the claimed invention. On the contrary, in Urano, a nitride film 8 as an etching stopper is formed *after* patterning the antireflection film 2 and the first Al wiring 1. In other words, the nitride film 8

is blanket deposited over the entire substrate including the patterned antireflection film 2 and the first Al wiring 1. Nothing in Urano discloses or teaches patterning of the nitride film 8 before forming an interlayer insulating layer 3 thereon. See paragraph 0018 of Urano.

Therefore, Urano does not teach or suggest, "the interconnection layer, the capping layer, and the etching stopper are formed by sequentially depositing material layers, and patterning the material layers by the same etching process," as recited in amended claim 1.

Thus, the cited references, either alone or in combination, do not teach or suggest all of the limitations of claim 1 or claim 26. Accordingly, the rejection does not present a *prima facie* case of obviousness. Therefore, claims 1 and 26 are allowable and claims 1-9, 11-13, and 21-22; and claim 27, which respectively depend therefrom and recite features that are neither taught nor disclosed in the cited references, are also allowable.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of claims 1-9, 11-13, 21-22, and 26-27 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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